CHIEF OF DETECTIVES

NOTICE
1.8

March 12, 2018

TO: All Concerned Personnel

FROM: Chief of Detectives

SUBJECT: ENFORCEMENT GUIDELINES FOR VIOLATIONS OF LOS ANGELES MUNICIPAL CODE SECTION 55.07

The purpose of this Notice is to establish guidelines for all Department personnel when enforcing violations of Los Angeles Municipal Code (LAMC) Section §55.07. The LAMC §55.07 regulates the possession of certain items at public protests, demonstrations, rallies, picket lines and public assemblies.

PROCEDURES

The LAMC §55.07 only applies to persons **attending** or **participating** in a protest, demonstration, rally, picket line or public assembly. A detention (reasonable suspicion) or arrest (probable cause) would require the officer to articulate any/all facts supporting this requirement of the Section. A warning is required in LAMC §55.07 and should be documented via video whenever possible. Individual warnings may be given to participants observed in possession of prohibited items, clearly addressing the specific item(s) in their possession. The entire Standardized Warning need not be provided in each occurrence. Failure to immediately comply with that warning may result in a subsequent detention or arrest.

OFFICER'S RESPONSIBILITIES. All sworn personnel that enforce the violations of LAMC §55.07 shall:

- Provide a warning as required in LAMC §55.07 and it should be documented via video whenever possible;
- Any items "seized" from individuals shall be documented via a Property Report (Form 10.01) and a Receipt for Property Taken Into Custody (Form 10.10) shall be issued; and,
- Arrests made pursuant to LAMC §55.07 require an individual arrest report. That report should include:
    - Evidence that the individual was attending or participating in a protest, demonstration, rally, picket line or public assembly (video is preferred);
    - Date, time, location and identity of the Department personnel who issued the initial warning (video is preferred); and,
    - Date, time, location and identification of the officer who effected the arrest and recovered or observed the individual in possession of the prohibited item(s).

WATCH COMMANDER'S RESPONSIBILITIES. Watch Commanders shall ensure Department personnel assigned to a protest, demonstration, rally, picket line or public assembly can properly enforce violations of Los Angeles Municipal Code (LAMC) §55.07.

COMMANDING OFFICER'S RESPONSIBILITIES. Area Commanding Officers shall be responsible for compliance with this Notice.

Should you have any questions regarding this Notice, please contact Investigative Analysis Section, Detective Bureau, at (213) 486-7000.

APPROVED:

JUSTIN EISENBERG, Deputy Chief
Chief of Detectives

SEAN W. MALINOWSKI, Deputy Chief
Chief of Staff
Office of the Chief of Police

Attachments

DISTRIBUTION "D"

LAMC 55.07 Standardized Warning

"I am (rank and officer's name), a police officer for the City of Los Angeles. In accordance with LAMC Section 55.07, and while attending or participating in a protest, demonstration, rally, picket line or public assembly, you are hereby notified that possession of the following items is prohibited:

1. Any length of lumber, wood, or wood lath greater than 2" wide, ¼" thick, or ¾" in diameter. Both ends of any lumber, wood or wood lath must be blunt.

2. Any length of metal pipe. Any plastic pipe in excess of ¾" in diameter, whether hollow or solid. Both ends of any pipe must be blunt.

3. Any signs, posters, banners, plaques or notices unless constructed of "soft" material. Cardboard material shall not be greater than ¼" in thickness.

4. Any metal, wood or hard plastic baseball or softball bats.

5. Any aerosol spray, tear gas, mace, pepper spray or bear repellant.

6. Any projectile launcher or other device capable of launching or hurling any object.

7. Any weapons such as firearms, knives (no minimum length), swords, sabers or other bladed devices, axes, hatchets, ice picks, razor blades, nunchucks or martial arts weapons of any kind, box cutters, pellet or BB guns. Any electrical weapons such as tasers or stun guns or wooden/brass knuckles. Any toy or replica firearms. Any chains longer than 20" or greater than ¼" diameter.

8. Any balloons, bottles or any other container such as water cannons or super soakers, filled with any flammable, biohazard or other noxious matter which is injurious, or nauseous, sickening or irritating to any of the senses.

9. Any glass bottles, whether empty or filled.

10. Any open flame torches, lanterns or other devices that utilize combustible materials such as gasoline, kerosene, propane or other fuel source.

11. Any shields made of metal, wood or hard plastic.

12. Any bricks, rocks, pieces of asphalt, concrete, pellets or ball bearings.

If you have any of the aforementioned items in your possession you must discard them or leave the area immediately. If you do not comply with this warning, you will be subject to arrest or other police action. Possession of these items by members of any organized group or assembly could result in the assembly being declared unlawful.

LAMC 55.07 Advertencia Estandarizado

"Yo soy (rango y nombre del oficial), un oficial de policía de la ciudad de Los Angeles. De conformidad con la Sección 55.07 LAMC, Al asistir o participar en una protesta, manifestación, mitin, piquete o asamblea pública, le informamos de que la posesión de los siguientes artículos está prohibido:

1. Cualquier longitud de madera aserrada, madera o listones de madera más de 2" de ancho, grueso, 1/4" o 3/4" de diámetro. Todos los extremos y todos los bordes de cualquier madera, madera o listones de madera debe ser contundente.

2. Cualquier longitud de tubo metálico. Cualquier tubo plástico en exceso de ¾" de diámetro, si huecos o sólidos. Todos los extremos y bordes de cualquier tubo debe ser contundente.

3. Señales, carteles, pancartas, placas o avisos a menos construidos de material "blando." Material de cartón no será superior a 1/4" de grueso.

4. Cualquier metal, madera o plástico duro bates de béisbol o softbol.

5. Cualquier aerosol, gas lacrimógeno, macis, spray de pimienta o llevar repelente de oso.

6. Algún proyectil lanzador o cualquier otro dispositivo capaz de lanzar o arrojar cualquier objeto.

7. Las armas como armas de fuego, cuchillos (sin longitude minima), espadas, sables u otros dispositivos con palas, hachas, picos de hielo, cuchillas de afeitar, nunchacus o artes marciales armas de cualquier tipo, cortaplumas, pellet o rifles de aire. Cualquier armas eléctricas como taser o pistolas. Cualquier juguete o réplicas de armas de fuego. Ninguna de las cadenas de más de 20" o superior a 1/4" de diámetro.

8. Cualquier globos, botellas o cualquier otro recipiente, como cañones de agua o super soakers, rellenas con cualquier inflamable, biohazard o cualquier otro asunto que es nocivo, perjudicial o náuseas, repugnante o irritante para cualquiera de los sentidos.

9. Cualquier botellas de vidrio, llenos o vacíos.

10. Cualquier llama abierta, antorchas, lámparas u otros dispositivos que utilicen materiales combustibles tales como gasolina, queroseno, propano u otra fuente de combustible.

11. Escudos de metal, madera o plástico duro.

12. Cualquier ladrillos, piedras, trozos de asfalto, hormigón, pellets o rodamientos de bolas.

Si usted tiene cualquier de los elementos mencionados en su posesión debe rechazarlas o abandonar el área inmediatamente. Si no cumple con esta advertencia, usted estará sujeto a detención u otra acción policial. La posesión de estos productos por parte de los miembros de cualquier grupo organizado o asamblea podría resultar en la asamblea ser declaradas ilegales.